

Notice of Allowability

Application No.

10/614,592

Examiner

Quang D. Thanh

Applicant(s)

KIM, HAKJIN

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview on 12/02/05.
2. ☒ The allowed claim(s) is/are 1-16, 18, 19, 21 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/21/03; 10/11/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Choongseop Lee on 12/02/05.

The application has been amended as follows:

Claims 17 and 20 have been canceled.

Claim 1 has been replaced with the following:

--1. A lie-down massager comprising:

- a) a base frame having an elongated top panel, wherein an elongated top opening is formed centrally and lengthwise through the elongated top panel;
- b) a rider provided below the elongated top panel of the base frame;
- c) a guide member movably engaged between the base frame and the rider so as to enable the rider to make a horizontally reciprocal movement relative to the base frame;
- d) a lifter having a top plate and a bottom plate, a fluid operated cylinder fixed to the bottom plate, and a compressor providing pressurized fluid to the fluid operated cylinder, wherein the fluid operated cylinder has a cylinder shaft that is connected to the top plate, wherein the cylinder shaft moves the top plate up and down; wherein the lifter further comprises a guide shaft fixed between the cylinder shaft and the top

Art Unit: 3764

plate, and a guide bearing that guides the guide shaft, wherein the guide bearing is fixed to the bottom plate, wherein the guide bearing has a guide hole that receives the guide shaft, wherein the guide shaft has a polygonal cross section, and the guide hole has the same polygonal cross section; and

e) massage bumps attached on the top plate of the lifter and moving vertically and/or horizontally along the elongated top opening of the elongated top panel of the base frame. --

In claim 15 (p. 20, line 11): "the bottom lower" has been replaced with -- a bottom lower --

In claim 18 (p. 21, line 7): "claim 17" has been replaced with -- claim 1 --

In claim 21 (p. 22, line 1): "claim 20" has been replaced with -- claim 19 --

In claim 22 (p. 22, line 4): "claim 20" has been replaced with -- claim 19 --

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: in FIG. 11, "216" pointing to the shaft should be replaced with -- 206 --. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes. Please also see attached NOTICE OF DRAFT PERSON'S PATENT DRAWING REVIEW for appropriate correction.

Art Unit: 3764

3. The following is an examiner's statement of reasons for allowance: the prior art of record fails to teach or suggest a massager having all the elements in combination as substantially claimed by the applicant, especially a lifter having a top plate and a bottom plate, a fluid operated cylinder fixed to the bottom plate, and a compressor providing pressurized fluid to the fluid operated cylinder, wherein the fluid operated cylinder has a cylinder shaft connected to the top plate for moving the top plate up and down; and the lifter further comprises a guide shaft fixed between the cylinder shaft and the top plate, and a guide bearing fixed to the bottom plate for guiding the guide shaft, the guide bearing has a guide hole that receives the guide shaft, and both the guide shaft and the guide hole have a polygonal cross section.

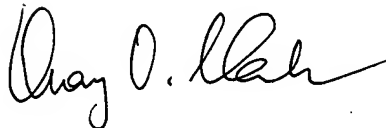
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D. Thanh whose telephone number is (571) 272-4982. The examiner can normally be reached on Monday-Thursday & alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Cronin can be reached on (571) 272-4536. The Central FAX phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Art Unit: 3764

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Quang D. Thanh', written in a cursive style.

Quang D. Thanh
Patent Examiner
Art Unit 3764
(571) 272-4982